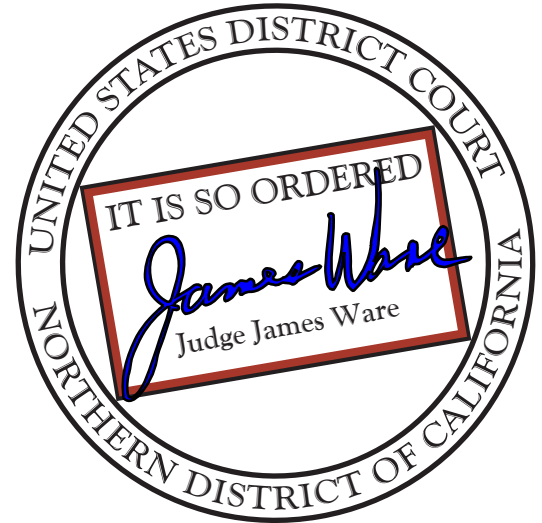


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NEVA LEMA,

Plaintiff,

v.

MARIE CALLENDER'S CONCORD #86,
et al.,

Defendants.

CASE NO. CV09-0494-JW
Civil Rights

**PLAINTIFF'S REQUEST FOR
DISMISSAL WITH PREJUDICE;
ORDER**

TO THE COURT:

The Parties have entered a Stipulation of Settlement, which has been approved by Order of the United States District Court for the District of Delaware, in lead action In Re Perkins & Marie Callender's, Inc., et al., Case No. 11-11795, as attached hereto at **Exhibit 1**. The Bankruptcy Court retained exclusive jurisdiction to interpret and enforce the agreement. (Id. at p. 2.)

Accordingly, Plaintiff requests that the Court dismiss this action with prejudice.

Dated: May 31, 2012

THIMESCH LAW OFFICES
TIMOTHY S. THIMESCH, ESQ.
GENE FARBER, ESQ. – Of Counsel

/S/ Signature Authorized
Attorneys for Plaintiff
NEVA LEMA

1 **APPROVED AS TO FORM:**

2 Dated: May 31, 2012

CHARLES H. HORN, ESQ.,
LECLAIRRYAN, LLP

3 /s/ Authorized Signed
4 Attorneys for Defendants
5 MARIO H. CHAN; and PATSY W. CHAN

6
7 **ORDER**

8 SO ORDERED.

9
10 Dated: June 5, 2012

11 
12 HON. JAMES WARE
13 U.S. DISTRICT COURT PRESIDING JUDGE